

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

F. PROKOSKI

Serial No. 09/329,217

Group Art Unit: 2623

Filed: June 10, 1999

Examiner: M. MILLER

For: METHOD AND APPARATUS FOR ALIGNMENT, COMPARISON
& IDENTIFICATION OF CHARACTERISTIC TOOL MARKS,
INCLUDING BALLISTIC SIGNATURES

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

RECEIVED

JUN 24 2004

Technology Center 2600**DECLARATION OF CAROLINE M. ATKINS**

The undersigned declares as follows:

- 1) I, Caroline M. Atkins am the Office Manager and Supervisor of the Docketing system at Whitham, Curtis & Christofferson, PC. I have been employed with Whitham, Curtis & Christofferson, PC, and its predecessor firm, Whitham, Curtis & Whitham, in the Intellectual Property Department since 1996 and have been the Supervisor since May, 2000.
- 2) Whitham, Curtis & Christofferson, PC, and its predecessor firm had a multiply redundant docketing procedure which is described in the Appended Exhibit G. I am directly involved in reviewing all mail forwarded to Whitham, Curtis & Christofferson, PC and I served in a similar capacity at the predecessor firm, and in the docketing entry procedures discussed in the docketing procedure described in the appended Exhibit G.

3) I have reviewed the Whitham, Curtis & Christofferson, PC file associated with the above-identified patent application and have determined:

a) there is no original copy of a Notice of Allowance nor Notice of Allowability in the file, and

b) it appears that no such Notices for the above identified patent application have been received in the office of Whitham, Curtis & Christofferson, PC.

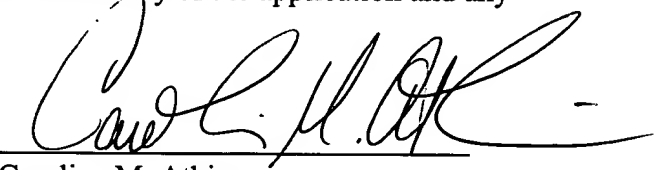
Assuming the respective Notices were mailed from the U.S. Patent and Trademark Office on February 19, 2003, we would likely have received the Notices some time between February 20, 2003 and March 1, 2003. Attached hereto as Exhibit H is a copy of a computer printout that shows all of the Office Action computer entries which were made between February 20, 2003 and March 1, 2003. It can be seen from these entries that no entry of any Notice of Allowance or Allowability for the above referenced application were made.

Additionally, Whitham, Curtis & Christofferson, PC's docketing policy is such that the final due date (with all extensions included) is docketed in the same manner. This date would be May 19, 2003 including all available extensions included. Attached as Exhibit I are copies of pages for May 13, 2003 through May 25, 2003 of the handwritten ledger kept at Whitham, Curtis & Christofferson, PC. It can be seen from these pages that there was no Notice of Allowance or Allowability for the above identified application logged in.

4) I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful

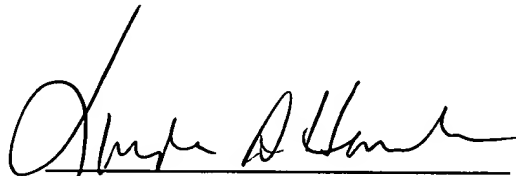
false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Date: June 17, 2004


Caroline M. Atkins
Office Manager
Whitham, Curtis & Christofferson, PC

On this 6/17, 2004, before me personally came Caroline M. Atkins personally known, and be known to me to be the person described in and who executed the foregoing declaration, and she executed the same as her free act and deed.

State Of Virginia
County of Fairfax



Notary

My commission expires: 12/31/07